

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

ROBERT MENENDEZ, et al.

Defendants.

Case No. 23-cr-00490 (SHS)

**MEDIA COALITION’S MOTION TO INTERVENE AND UNSEAL
DEFENDANT SENATOR ROBERT MENENDEZ’S SEVERANCE MOTION**

NBCUniversal Media LLC d/b/a NBCUniversal News Group; Cable News Network, Inc.; American Broadcasting Companies, Inc. d/b/a ABC News; Gannett Satellite Information Network, LLC d/b/a Bergen Record; Politico, LLC; Fox News Network, LLC; New Jersey Globe; WP Company LLC d/b/a The Washington Post; CBS Broadcasting Inc. d/b/a CBS News; The E.W. Scripps Company o/b/o CourtTV and Scripps News; and NYP Holdings, Inc. d/b/a New York Post; The Associated Press; Bloomberg L.P. (together, the “Media Coalition”), by and through undersigned counsel, hereby move pursuant to Federal Rule of Criminal Procedure 47 to intervene in this matter for the limited purpose of opposing Defendant Senator Robert Menendez’s request to maintain under seal the unredacted version of his Memorandum of Law In Support of His Motions to Dismiss Based on Lack of Venue and Duplicity, and His Severance Motion, *see* ECF Nos. 136, 137, 251-1 (“Severance Motion”). In support of this Motion, the Media Coalition relies on the accompanying Memorandum of Law In Support of Media Coalition’s Motion to Intervene and Unseal Defendant Senator Robert Menendez’s Severance Motion.

As explained therein, the Media Coalition's intervention in this matter is proper in order to vindicate the press's and the public's constitutional and common law rights of access to judicial records, and Senator Menendez's request to maintain his Severance Motion under seal is without basis in law or fact. The Media Coalition therefore respectfully requests that the Court grant its Motion to Intervene, and further that the Court deny Senator Menendez's Letter Motion Seeking Leave to Maintain Redacted Portions Under Seal, ECF No. 251, order the unredacted version of his Severance Motion to be immediately filed on the public docket, and provide any other relief the Court deems just and proper.

Dated: April 5, 2024

Respectfully submitted,

BALLARD SPAHR LLP

/s/ Joseph Slaughter

Joseph Slaughter

Jacquelyn Schell

Isabella Salomão Nascimento

Anna Kaul

1675 Broadway, 19th Floor

New York, NY 10019

slaughterj@ballardspahr.com

schellj@ballardspahr.com

salmanascimento@ballardspahr.com

kaula@ballardspahr.com

Counsel for the Media Coalition

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of April, 2024, I directed that a true and correct copy of the foregoing **MEDIA COALITION’S MOTION TO INTERVENE AND UNSEAL DEFENDANT SENATOR ROBERT MENENDEZ’S SEVERANCE MOTION** and accompanying memorandum of law be served via U.S. Mail and electronic mail upon the following counsel of record:

Christina A. Clark
U.S. Department of Justice, National Security Division
950 Pennsylvania Ave NW
Washington, DC 20530
Christina.clark3@usdoj.gov

Daniel Charles Richenthal
Eli Jacob Mark
Lara Elizabeth Pomerantz
Paul Michael Monteleoni
United States Attorney’s Office – Southern District of New York
One St. Andrew’s Plaza
New York, NY 10007
Daniel.richenthal@usdoj.gov
Eli.mark@usdoj.gov
Lara.pomerantz@usdoj.gov
Paul.monteleoni@usdoj.gov

Counsel for the United States

Adam Fee
Paul Hastings LLP
1999 Avenue of the Stars, Ste. 2700
Los Angeles, CA 90067
adamfee@paulhastings.com

Avi Weitzman
Paul Hastings LLP
200 Park Avenue
New York, NY 10166
aviweitzman@paulhastings.com

Robert David Luskin
Paul Hastings LLP

2050 M Street NW
Washington, DC 20036
robertluskin@paulhastings.com

Jacob Moshe Roth
Jones Day
51 Louisiana Avenue NW
Washington, DC 20001
yroth@jonesday.com

Counsel for Defendant Sen. Robert Menendez

Danny Christopher Onorato
David Schertler
Mark J. MacDougall
Paola Pinto
Schertler Onorato Mead & Sears, LLP
555 – 13th Street NW, Suite 500 West
Washington, DC 20004
donorato@schertlerlaw.com
dschertler@schertlerlaw.com
mmacdougall@schertlerlaw.com
ppinto@schertlerlaw.com

Counsel for Defendant Nadine Menendez

Andrew James Marino
Elena Cicognani
Jessica L. Guarracino
Lawrence S. Lustberg
Anne Michelle Collart
Christina LaBruno
Ricardo Solano, Jr.
Gibbons P.C.
One Gateway Center
1145 Raymond Plaza West
Newark, NJ 07102
amarino@gibbonslaw.com
ecicognani@gibbonslaw.com
jguarracino@gibbonslaw.com
llustberg@gibbonslaw.com
acollart@gibbonslaw.com
clabruno@gibbonslaw.com
rsolano@gibbonslaw.com

Counsel for Defendant Wael Hana

Marc E. Kasowitz
Ann M. St. Peter-Griffith
Daniel J. Fetterman
Fria Rohinton Kermani
Kasowitz, Benson, Torres LLP
1633 Broadway
New York, NY 10019
MEKcourtnotices@kasowitz.com
astpetergriffith@kasowitz.com
dfetterman@kasowitz.com
fkermani@kasowitz.com

Counsel for Defendant Jose Uribe

Cesar De Castro
Seth Hugh Agata
Shannon Michael McManus
The Law Firm of Cesar de Castro, P.C.
The District
111 Fulton Street – 602
New York, NY 10038
cdecastro@cdecastrolaw.com
sethagata@gmail.com
smcmanus@cdecastrolaw.com

Valerie Alice Gotlib
Gotlib Law, PLLC
225 Broadway, Suite 2815
New York, NY 10007
valerie@gotliblaw.com

Counsel for Defendant Fred Daibes

/s/ Joseph Slaughter
Joseph Slaughter